

STATUS

The above-captioned patent application is pending with Claims 1-45.

The examiner has objected to Applicant's claim of a priority on Application Nos. 09/348200 and 09/694404.

Claims 1-5, 11-21, and 25-39 have been rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over Claims 14, 11-19 and 25-30 of Application No. 10/222506 to Myerson ("Myerson '506").

Claims 1, 3-7, 9, and 11-18 have been rejected under 35 USC 102(e) as anticipated by US Patent Application No 09/918935 to Myerson (Myerson '935).

The effective filing date of Claims 1, 3, 4, 9-14 and 16-18 and 20 has been deemed by the examiner to be 23 October 2000, the priority date of the parent US Patent Application No 09/694404 to Myerson, now US Patent No. 6426406 to Myerson (Myerson '406).

Claims 2, 5-7, 15, 19-23, 25-42, and 44 have been rejected as anticipated by Myerson '935.

Claims 8-10, 24, 43 and 45 are objected to as being dependant from a rejected base claim and are allowable if rewritten in independent form including all of the limitations of the base claim.

EXCESS CLAIMS FEE

Applicant has paid the filing fee for 45 total claims and 3 independent claims. The present response adds 14 total claims, 3 independent claims, and cancels 0 claims. The excess claims fee of \$252.00 for a small entity is enclosed.